REMARKS

This paper is responsive to the Final Office Action dated May 20, 2005. Applicants have amended claims 38 and 48 for clerical purposes unrelated to patentability. The amendments to claims 38 and 48 properly define the acronyms "WCD" and "SIM" in a manner consistent with the other claims and the Examiner's interpretation of these acronyms in the Office Action. Therefore, the amendments do not raise any new issues. Claims 34-53 remain pending.

In the Final Office Action, the Examiner rejected claims 34, 36-38, 40-48 and 50-53 under 35 U.S.C. 102(e) as being anticipated by Kolev et al (US 6,125,283), and rejected claims 35, 39 and 49 under 35 U.S.C. 103(a) as being unpatentable over Kolev in view of Tushie et al (US 6,014,748).

Applicants traverse the rejections. The applied references fail to disclose or suggest the inventions defined by Applicants' claims, and provide no teaching that would have suggested the desirability of modification to arrive at the claimed invention. In fact, the teaching of the applied references is not even remotely related to the features of Applicants' pending claims. In view of the following remarks, Applicants request withdrawal of all pending rejections.

Applicants' independent claim 38 recites a wireless communication device (WCD) including a power management routine and a memory and adapted for use with a Subscriber Identity Module (SIM). The WCD comprises means for storing in the memory a first unique identifier generated in response to an initial power up of the WCD permitting access to the SIM by the WCD, means responsive to the power management routine, for powering down the SIM, and means responsive to the power management routine for powering up the SIM. The WCD also comprises means for transmitting the first unique identifier to the SIM, and means for detecting access to the SIM in response to the SIM matching the first unique identifier from the WCD to a second unique identifier stored in the SIM. Independent claims 34 and 48 recite similar features in the context of a Subscriber Identity Module and a computer readable medium, respectively.

In the Office Action, the Examiner rejected independent claims 34, 38 and 48 as being anticipated by Kolev. However, the teaching of Kolev is not even remotely related to the features recited in Applicants' claims.

Kolev describes techniques for enabling a "satellite mode," or a less functional "terrestrial mode" based on whether a SIM card is detected in a mobile unit. The techniques of Kolev are not concerned with power management whatsoever. Indeed, the techniques of Kolev do not even appear to recognize the power consumption issues associated with access to a SIM card. Moreover, the techniques of Kolev appear to generally presume that access to the SIM card is always granted, without even addressing the issue of access permission, as specifically recited in the features of Applicants' claims. Accordingly, the Examiner appears to have completely overlooked several key limitations in Applicants' claims.

In Kolev, the mobile unit checks to see if a valid SIM card is present. If so, a satellite mode is enabled to allow communication over a satellite communication network. If not, a terrestrial mode is enabled, which is described as being less functional than the satellite mode, e.g., to allow emergency calls. Kolev does not describe any power management techniques performed by the WCD, much less power management techniques that deal with access to the SIM. Moreover, Kolev does not even address access permission to the SIM. In Kolev, a first unique identifier is not generated in response to an initial power up of the WCD permitting access to the SIM by the WCD. Moreover, in Kolev, a second unique identifier is never compared to the first unique identifier as part of power management.

Indeed, Kolev lacks not one, but several features of independent claims 34, 38 and 48. First, the techniques of Kolev are not even concerned with power management. Claims 34, 38 and 48, in contrast, each require a WCD including a power management routine. Moreover, claims 38 and 48 specifically require means "responsive to the power management routine." Nothing in Kolev is responsive to a power management routine, and nothing in Kolev is concerned with power management.

Second, Kolev does not even address access permission to the SIM, much less access permission at both an initial power up and at a subsequent power up. In contrast, claims 34, 38 and 48 concern the permitting of access to the SIM by the WCD at an initial power up and at a subsequent power up.

Third, Kolev does not make use of first and second unique identifiers, whatsoever. Claims 34, 38 and 48, in contrast, each require storing a first unique identifier accessing the first unique identifier at an initial power up of the WCD and receiving a second unique identifier at a subsequent power up of the SIM.

Fourth, Kolev does not enable access of the SIM by the WCD based on a comparison between the first unique identifier, which is accessed at an initial power up of the WCD, and a second unique identifier, which is received at a subsequent power up of the SIM.

In view of the numerous deficiencies identified above, it is unclear why and how Kolev could have been considered relevant to the claimed invention, much less suggestive of the features set forth in the claims. For at least these four reasons, all pending rejections are clearly improper and should be withdrawn.

It appears that almost every feature recited in Applicants' independent claims is lacking from Kolev. Thus, Applicants are generally confused as to why the Examiner has relied upon Kolev to reject Applicants' claims. Below, Applicants specifically address several of the Examiner's citations to Kolev, relative to the features of Applicants' independent claims. As can be appreciated from the analysis below, the Examiner appears to have misinterpreted the teaching of Kolev. The cited passages of Kolev do not disclose or suggest the features that the Examiner has attributed to these passages.

The Examiner cited column 6, lines 18-41 of Kolev as disclosing a means for storing a first unique identifier in memory of a WCD. The passage at column 6, lines 18-41 of Kolev, however, does not suggest storing a unique identifier, whatsoever. Instead, the passage at column 6, lines 18-41 of Kolev describes storing of information related to a satellite communication network and a terrestrial communication network. While this passage indicates that the user terminal may include a SIM including a subscriber identity to control access to the satellite communication network or the terrestrial communication network, this passage does not describe how such access is controlled, and clearly lacks any suggestion of storing a first unique identifier in memory of a WCD.

The Examiner cited column 8, lines 6-21 of Kolev as teaching a means for accessing a first unique identifier at an initial power up of the WCD to permit access to the SIM by the WCD and enable the first unique identifier to be stored in the memory of the WCD. However, column 8, lines 6-21 of Kolev does not suggest accessing a first unique identifier at an initial power up of the WCD to permit access to the SIM by the WCD, nor enabling the first unique identifier to be stored in the memory of the WCD. Instead, column 8, lines 6-21 of Kolev describes checking a mobile terminal to determine whether it has a valid subscriber identity. This passage then describes notification to the user if the subscriber identity is invalid, followed by switching from

a second communication network (a satellite network) to a first communication network (a terrestrial network). Nothing in the passage at column 8, lines 6-21 concerns the WCD's access to the SIM, whatsoever, but describes network switching if a subscriber identity is invalid. Other passages of Kolev describe how Kolev determines whether a subscriber identify is valid, i.e., by determining whether a SIM card is present. None of these passages, however, concern access to the SIM card, nor power management associated therewith.

The Examiner also cited column 8, line 22 to column 9, line 34 of Kolev as disclosing a means for receiving a second unique identifier at a subsequent power up of the SIM, the SIM having been powered down under control of a power management routine performed by the WCD. This passage cited by the Examiner, however, does not deal with a "subsequent power up of the SIM" nor the SIM "having been powered down under control of a power management routine performed by the WCD." Instead, the passage at column 8, line 22 to column 9, line 34 of Kolev describes techniques that take place at an initial power on, in which the mobile terminal checks to see if a valid SIM card is present. If so, a satellite mode is enabled to allow communication over a satellite communication network. If not, a terrestrial mode is enabled, which is described as being less functional than the satellite mode, e.g., to allow emergency calls. Furthermore, nothing in the passage at column 8, line 22 to column 9, line 34 of Kolev describes receiving a second unique identifier at a subsequent power up.

The Examiner also cited the same passage at column 8, line 22 to column 9, line 34 of Kolev as disclosing a means for comparing the second unique identifier received from the WCD to the first unique identifier. Nothing in this passage, however, describes the comparison of a second unique identifier received from the WCD to a first unique identifier stored in memory of the WCD. Again, the passage at column 8, line 22 to column 9, line 34 of Kolev describes techniques in which the mobile terminal checks to see if a valid SIM card is present and enables communication over a satellite communication network or a terrestrial communication network based on whether a valid SIM card is present.

The Examiner also cited the passage at column 8, line 22 to column 34 as disclosing a means for enabling access to the SIM based on the comparison of the second unique identifier received from the WCD to a first unique identifier stored in memory of the WCD. Nothing in this passage, however, is related to enabling access to a SIM, much less enabling access to the SIM based on the comparison of the second unique identifier received from the WCD to a first

unique identifier stored in memory of the WCD. In the cited passage of Kolev, access to the SIM appears to be automatically granted without any comparison and without any power management. The technique in the cited passage of Kolev checks to see if a valid SIM card is present and enables communication over a satellite communication network or a terrestrial communication network based on whether a valid SIM card is present.

In the specific rejections of independent claims 38 and 48, the Examiner relied heavily upon the passage at column 9, lines 34-53 of Kolev. Like the other passages of Kolev addressed above, however, the passage at column 9, lines 34-53 is completely unrelated to power management features of claims 38 and 48.

The passage of Kolev at column 9, lines 34-53 describes a periodic process of determining whether a valid SIM card is present, e.g., in order to initiate transition to terrestrial mode if the SIM card is removed from the mobile terminal. Like the other passages outlined above, the passage at column 9, lines 34-53 of Kolev lacks any suggestion of a means for storing in the memory a first unique identifier generated in response to an initial power up of the WCD permitting access to the SIM by the WCD, or a means, responsive to the power management routine, for powering down the SIM, or a means responsive to the power management routine for powering up the SIM, or a means for transmitting the first unique identifier to the SIM, or a means for detecting access to the SIM in response to the SIM matching the first unique identifier from the WCD to a second unique identifier stored in the SIM.

At column 9, lines 34-53 of Kolev, the process of Kolev is used at periodic checking intervals to ensure that a valid SIM card is always present. In these cases, however, Kolev still does not disclose or suggest any of the features of Applicants' claims. For example, a unique identifier is not stored in the memory of a WCD and a comparison between a first unique identifier and a second unique identifier is never performed. Moreover, the techniques at column 9, lines 34-53 of Kolev, are not concerned with power management.

In summary, the passages of Kolev, cited by the Examiner, are not even remotely suggestive of the features of Applicants' claims. In fact, the techniques of Kolev are not concerned with power conservation, whatsoever, unlike the features recited in Applicants' claims. Indeed, Applicants respectfully believe that each and every feature recited in Applicants' claims is not suggested by the passages of Kolev cited by the Examiner. The analysis above

clearly demonstrates that the features in the cited passages of Kolev are not even remotely similar to the features of Applicants' claims.

Tushie does not provide any disclosure that would remedy the deficiencies of Kolev relative to Applicants' claims. At this time, Applicants reserve further comment with regard to the rejections of the dependent claims, but do not acquiesce to any of the Examiner's rejections or characterizations of the prior art.

For at least the reasons identified above, and the numerous misinterpretations of Kolev described above, all of the current rejections are improper.

Applicants respectfully request reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 17-0026. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Respectfully submitted,

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